

REMARKS

By this amendment, Applicants amend the specification to correct minor informalities and conform the specification to the drawings as originally filed. Applicants further cancel claims 2, 4, 9, 12 and 14, amend claims 1, 3, 5-8, 10, 11 and 13 and add new claims 15-43. Claims 1, 3, 5-8, 10, 11, 13 and 15-43 are pending in this Application.

In the Office Action mailed June 30, 2004, the Examiner (1) rejected claims 1, 3, 6-8, 11 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Masuda (U.S. Patent No. 5,569,897) in view of Morofsky (U.S. Patent No. 5,743,429); (2) rejected claims 2, 4, 5, 9, 12 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Masuda in view of Morofsky and Buchanan et al. (U.S. Patent No. 5,950,179); and (3) rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Morofsky in view of Buchanan et al.

Based on the foregoing amendments and the following remarks, Applicants traverse each of the above rejections.

The Interview Conducted September 29, 2004

Applicants wish to thank Examiners Karl D. French and Edwyn Labaze for the courtesies extended during the interview held on September 29, 2004 with Applicants' representative. During the interview, Applicants' representative proposed amendments to the claims, including the amendments set forth above. Applicants' representative also explained the differences between the recitations of the amended claims and the references relied upon in the rejections. See *Interview Summary dated September 29,*

2004. In response, Examiners French and Labaze agreed that at least claim 1 is distinguished from Masuda, Morofsky and Buchanan et al., whether taken alone or in combination. See *Id.* Applicants submit the following arguments to amplify those advanced in the interview.

Information Disclosure Statements

As an initial matter, Applicants note that an Information Disclosure Statement (IDS) was filed on February 26, 2001, and a Supplemental IDS was filed on March 31, 2004. However, Applicants have not received an initialed copy of the PTO-1449 forms that accompanied these submissions. Accordingly, Applicants request that the Examiner provide initialed copies of the PTO-1449 forms for the IDS filed February 26, 2001, and the Supplemental IDS filed March 31, 2004. For the Examiner's convenience, Applicants have enclosed duplicate copies of these IDSs, their accompanying PTO-1449 forms, and the return postcards indicating receipt of these papers by the Office.

Independent Claims 1, 8, 10, 11 and 13

By this amendment, claims 2, 4, 9, 12 and 14 have been canceled and claims 1, 8, 10, 11 and 13 have been amended to incorporate some of the subject matter of the canceled claims. For example, claims 1 and 13 have been amended to recite, *inter alia*:

determining whether a security deposit is necessary, based on the application;

receiving a security deposit at the remote location, if it is determined that the security deposit is necessary; and

instantly dispensing the credit card using the remote dispensing apparatus at the remote location, after the security deposit, if determined necessary, has been received.

Claim 1, ll. 9-15; Claim 13, ll. 10-16. Claims 8, 10 and 11 have been amended to include similar recitations.

The Examiner admits that Masuda fails to teach or suggest a secured credit card. See *Office Action*, p. 4, ll. 5-6. The Examiner cites Buchanan et al. as teaching methods and systems for issuing a secured credit card. However, Buchanan et al. fails to teach, at least, "receiving a security deposit at the remote location, if it is determined that the security deposit is necessary; and instantly dispensing the credit card using the remote dispensing apparatus at the remote location, after the security deposit, if determined necessary, has been received." Instead, Buchanan et al. issues the credit card "immediately upon receipt of a *promise* to make a deposit." Col. 2, lines 50-51 (emphasis added).

Further, Morofsky fails to teach, at least, "determining whether a security deposit is necessary, based on the application." Instead, in Morofsky, no application is necessary: Morofsky dispenses preprogrammed money cards in exchange for currency, without the need for an application. See col. 5, ll. 25-66.

Moreover, it would not have been obvious to modify Buchanan et al. or Morofsky in view of the other to arrive at the claimed invention. In fact, both Buchanan et al. and Morofsky teach away from the other. As explained at the interview conducted September 29, 2004, Buchanan et al. specifies that the credit card be issued *before* a security deposit is received, and teaches the benefits of this method: "Because the

customer has immediate access to a credit card, the customer is more likely to make a deposit to retain the credit card and obtain the benefits of the secured credit card.” Col. 2, ll. 53-56. By contrast, because the cards in Morofsky have a preprogrammed monetary value (col. 1, ll. 5-6) and the customer need not submit any identifying information in order to obtain a card (col. 5, ll. 25-66), Morofsky necessarily requires that the customer deposit the required currency before receiving the money card (*Id.*). Accordingly, it would not have been obvious to one of ordinary skill in the art to combine Masuda, Morofsky and/or Buchanan et al. in a manner that would arrive at the claimed invention.

As therefore agreed at the interview conducted September 29, 2004, at least claim 1 is distinguished from Masuda, Morofsky and Buchanan et al., whether taken alone or in combination. Applicants submit that claims 8, 10, 11 and 13 are likewise distinguished from these references. Accordingly, Applicants respectfully request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Dependent Claims 3, 5, 6 and 7

Claims 3, 5, 6 and 7 depend from claim 1. As agreed at the interview conducted September 29, 2004, claim 1 is distinguished from Masuda, Morofsky and Buchanan et al., whether taken alone or in combination. Accordingly, claims 3, 5, 6 and 7 are distinguished from these references for at least the same reasons as claim 1, and Applicants respectfully request that the rejection of claims 3, 5, 6 and 7 under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

In addition, claim 6 recites “receiving an embossing record from the central computing platform,” and claim 7 recites “embossing the information contained in the embossing record on the credit card.” The Examiner asserts that Masuda teaches such embossing. See *Office Action*, p. 3, ll. 18-22. However, contrary to the Examiner’s assertions, Masuda fails to teach or even suggest embossing, either in the cited portions thereof (col. 5, lines 5+), or anywhere else. Moreover, Morofsky is not relied upon to teach, and does not teach, the cited deficiencies of Masuda. Consequently, the rejection of claims 6 and 7 under 35 U.S.C. § 103(a) is not supported by the references relied upon, and Applicants respectfully request that the rejection of these claims be withdrawn and the claims allowed.

New claims 15-43

New claims 15-43 depend from one of claims 1, 8, 10, 11 and 13. As explained, claims 1, 8, 10, 11 and 13 are distinguished from Masuda, Morofsky and Buchanan et al., alone or in combination. Consequently, new claims 15-43 are allowable for at least the reason that they depend from an allowable claim. Accordingly, Applicants respectfully request the timely allowance of new claims 15-43.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims.

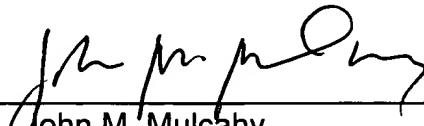
Attorney Docket No. 05793.3032
Application No.: 09/694,791

Please grant any extensions of time required to enter this response and charge
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 30, 2004

By: 

John M. Mulcahy
Reg. No. 55,940

Attachments:

Copy of the IDS and Form PTO-1449 filed February 26, 2001;
Copy of the Supplemental IDS and PTO-1449 Form filed March 31; and
Return postcards indicating receipt of these papers by the Office.